

People who care
every day

The Alexander Forbes Trust



THE ALEXANDER FORBES TRUST

**Prepared in terms of section 51 of the Promotion of Access to
Information Act 2 of 2000 (as amended)**

Reviewed: April 2024

Effective date: 1 January 2023

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1. Purpose of this PAIA manual

The main purpose of this manual is to:

1. Help you access records that The Alexander Forbes Trust ("Trust") holds, as set out in the Promotion of Access to Information Act 2 of 2000 or "PAIA", and
2. Confirm how the Trust uses and protects personal information to comply with the requirements of the Protection of Personal Information Act 4 of 2013 or "POPIA". To find out more about how the Trust complies with POPIA please read the privacy statement that can be accessed [here](#)

Please note that publication of this manual does not give rise to any rights to access records except as provided for in terms of PAIA.

About the Trust and applicable law:

The Alexander Forbes Trust ("the Trust") is registered in terms of the Trust Deed with the Master of High Court in terms of the Trust Property Control Act. The Trust is established with the object of managing death benefits of minor beneficiaries and disabled major beneficiaries. The Trust, as a registered trust, is itself a data subject. Information relating thereto includes contractual agreements, Trust Deed, meeting agendas, meeting minutes, any correspondence related to the Trust and its actions, reporting of any nature prepared for the Trust including financial statements and actuarial reports, any Board appraisal, any advice received by the Trust, or any other such detail which exists as a function of the Trust's legal existence and the relevant legal requirements.

The personal information that is collected and processed for late members of transferor Trusts, guardians/caregivers and beneficiaries of the Trust is used mostly for this reason. The Trust must also collect and process information to comply with the laws of South Africa.

The Trust is an existing juristic person and is therefore a "private body" as defined in POPIA and PAIA. The Trust holds records for the purposes of POPIA and PAIA in terms of the following laws, among others:

- Constitution of the Republic of South Africa;
- Financial Sector Regulation Act 9 of 2017
- Consumer Protection Act 68 of 2008;
- Divorce Act 70 of 1979;
- Financial Advisory and Intermediary Services Act 37 of 2002;
- Financial Intelligence Centre Act 38 of 2001;
- Income Tax Act 58 of 1962;
- Insurance Act 18 of 2017;
- Maintenance Act 99 of 1998;
- National Credit Act 34 of 2005;
- Pension Funds Act 24 of 1956;
- Prescription Act 68 of 1969;
- Promotion of Access to information Act 2 of 2000;
- Protection of Personal Information Act 4 of 2013;
- Value Added Tax Act 89 of 1991;
- Trust Property Control Act 57 of 1988.

What is a private body?

- (a) a natural person who carries or has carried on any trade, business or profession, but only in such capacity;
- (b) a partnership which carries or has carried on any trade, business or profession; or
- (c) any former or existing juristic person but excludes a public body.

About this manual:

To help you access information, this manual sets out the types of records that the Trust holds and the process to access these records. This manual is useful to:

- 1.1 check the types of records (documents and information) the Trust holds which are available without having to complete the form as set out in PAIA;
- 1.2 check the types of records the Trust holds where you must complete the form, as set out in PAIA, and how to submit your request to the Trust for processing;
- 1.3 understand the records the Trust holds that are available to you in terms of other laws;
- 1.4 access the contact details of the Information Officer who will help you request the records you want to access;
- 1.5 know that the Regulator has issued a guide on how to use PAIA and where you can access a copy of this guide;
- 1.6 know if the Trust will process personal information and the purpose of processing of personal information (this includes a description of any categories of Trust's beneficiaries, guardians or caregivers and the information or categories of information about them);
- 1.7 understand who the Trust may share personal information with;
- 1.8 know if the Trust has planned to transfer or process personal information outside of South Africa and the recipients or categories of recipients this personal information may be shared with; and
- 1.9 be aware that the Trust has the proper security measures to protect the confidentiality, integrity and availability of the personal information which is being processed.

2. List of acronyms and abbreviations

- | | | |
|-----|------------------|---|
| 2.1 | DIO | Deputy Information Officer |
| 2.2 | Form 2 | The form you need to fill in to request Trust records |
| 2.3 | Form 3 | The form the Trust will complete when it responds to your request for records |
| 2.4 | Guide | A guide issued by the Information Regulator in terms of section 10(1) of PAIA to inform the public how to exercise their rights in terms of PAIA and POPIA. |
| 2.5 | IO | Information Officer |
| 2.6 | PAIA | Promotion of Access to Information Act No. 2 of 2000 (as amended) |
| 2.7 | POPIA | Protection of Personal Information Act No.4 of 2013 |
| 2.8 | Regulator | Information Regulator (www.inforegulator.org.za) |

3. Important contact details to access the Trust's information

3.1 Information Officer

Name: Chantell Watkins
Email: watkinsc@alexforbes.com

3.2 General contact

Email: AFFundIO@alexforbes.com

3.3 Trust's registered address

Postal Address: PO Box 787240
Sandton
2146

Physical Address: 151 West Street
Sandown

Telephone: (011) 269 0000

Email: beneficiaryservices@alexforbes.com
Website: www.alexforbes.com

3.4 Information Regulator

The Information Regulator of South Africa is based at:

Postal Address: P O Box 31533
Braamfontein
Johannesburg
2017

Physical Address: JD house
27 Stiemens Street
Braamfontein
Johannesburg
2001

General emails: enquiries@inforegulator.org.za
Complaints email: POPIAComplaints@inforegulator.org.za; and
PAIAComplaints@inforegulator.org.za

4. The Regulator's guide on how to use PAIA

4.1 The Regulator has issued a guide on how to use PAIA, in an easy-to-understand format, and in all eleven official languages and in braille.

4.2 The guide sets out:

- 4.2.1 the reason and purpose of PAIA and POPIA;
- 4.2.2 the process to follow to ask for a record of either a public body as set out in section 11 of PAIA, or a private body as set out in section 50 of PAIA;
- 4.2.3 the help you can expect from the IO and DIO;
- 4.2.4 the help you can expect from the Regulator;
- 4.2.5 if you are not happy with the information you have been given or the reason why you haven't been given the information, you can lodge:
 - 4.2.5.1 an internal appeal (*if applicable*);
 - 4.2.5.2 a complaint to the Regulator; or

- 4.2.5.3 an application to a court against a decision by the IO of a public body, a decision on internal appeal or a decision by the Regulator, or a decision of a private body;
 - 4.2.6 what the Trust must include in its PAIA manual and how beneficiaries, guardians/caregivers can get a copy of the manual;
 - 4.2.7 the possible voluntary disclosure of categories of records by the Trust, if applicable;
 - 4.2.8 the fees to be paid when requesting records (if any); and
 - 4.2.9 any other issues needed to meet the requirements of PAIA.
- 4.3 You can inspect or make copies of the guide at the Trust's registered address or at the Regulator's office during normal working hours.
- 4.4 You can also get a copy of the guide from:
- 4.4.1 The Trust's IO; or
 - 4.4.2 The Regulator, go to: <https://www.justice.gov.za/inforeg>.
- 4.6 A copy of the guide will be available on the Trust's website at:
<https://beneficiary.alexanderforbes.co.za/home>
- 4.7 The Trust will make the regulator's guide available in all of the official languages, being English, Afrikaans, IsiNdebele, isiXhosa, isiZulu, Siswati, Sepedi, Sesotho, Setswana, Tshivenda and Xitsonga.

What is a public body?

- (a) any department of state or administration in the national or provincial sphere of government or any municipality in the local sphere of government; or
- (b) any other functionary or institution when-
 - (i) exercising a power or performing a duty in terms of the Constitution or a provincial constitution; or
 - (ii) exercising a public power or performing a public function in terms of any legislation;

5. Trust's records you can access without filling in a form 2

If you are a beneficiary, guardian/caregiver of the Trust, you can view the following records at the registered address of the Trust or on the Trust's website:

Description of record	Where to find it
Trust Deed (including amendments)	Trust's website and registered address
Trust's latest annual financial statements	
	Trust's registered address
The last statement (if any) and report thereon	
Any scheme which is being carried out by the Trust in accordance with the provisions of the Trust Deed	

You must pay us a request fee as required by law when submitting a request for access to information. The prescribed fees are as set out in the Fee Schedule which is available from www.sahrc.org.za at this link: <http://www.sahrc.org.za/home/21/files/FEES.pdf>. You must pay us the fees before we will hand over any information. You may have to pay a further access fee if we grant the request for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

6. Trust's records that require you to complete a Form 2

Examples of other records the Trust holds are set out in Annexure 1.

7. How to request a Trust record

You can request access to records listed in Annexure 1 "by filling in Form 2 (attached as Annexure 2 of this manual) or for the most recent version at: <https://www.justice.gov.za/inforeg>.

Send your completed Form 2 to the Trust's IO. If your form is completed correctly:

1. you will receive a completed Form 3, within 30 days of receiving your request, advising you of the outcome of your request. For information purposes, this form is attached as Annexure 3.
2. If your request for access is granted, you may need to pay a fee in order to arrange access.
3. There may be reasons why the IO is unable to approve your request. The reasons will be detailed in Form 3. Examples are given below.

If the form is not completed correctly, the IO will contact you to help you to complete the form correctly.

8. Reasons why the IO can refuse access to a record

1. There are legal reasons why the IO must refuse to give access to certain records, among others, to protect:
 - someone else's privacy including that of a deceased person;
 - someone else's confidential information;
 - the safety of individuals and property;
 - records that are privileged in legal proceedings;
 - research information.
2. If the Trust cannot find a requested record or it does not exist, then the IO will notify you, in the form of an affidavit or affirmation, that it is not possible to give access to the record.

If you are not satisfied with the response provided by the IO, you may lodge a complaint with the Regulator by completing the form "Lodging of complaint" that is available on the website: <https://www.justice.gov.za/inforeg/>

9. Processing of personal information

9.1 Purpose of processing personal information

The Trust processes beneficiaries' personal information, as defined in POPIA, for example, to provide you with Trust benefits, keep your records updated, make payments, contact you, and comply with the laws of South Africa.

9.2 Categories of data subjects

The Trust processes personal information of the following categories of data subjects:

Categories of data subjects	Examples of personal information processed
The Trust	Trust Deed, contractual agreements, meeting agendas, meeting minutes, Trust correspondence, Trust reporting, financial statements and actuarial reports, board appraisals, advice received by the Board of Trustees.
Beneficiaries, including - Former members - spouses and children of former members; - dependants and nominees of deceased members	could include name, surname, contact details, salary information, demographic information (e.g., age, race), financial information including bank account details, tax information, payment options, and in some cases, health, or medical information, including disability status.
Guardians and caregivers	names, ID number, date of birth, contact details and bank details
Service providers - for example the appointed administrator, appointed auditors, appointed consultants etc.	names, registration number, VAT numbers, address, and bank details.
The Board of Trustees	names, surnames, contact details, demographic information (e.g., age, race), bank details, qualifications, citizenship (where necessary), annual assessments, training attended

9.3 Other parties the Trust may share your personal information with

To fulfil our responsibilities to beneficiaries, the Trust shares beneficiaries' and guardians/caregiver's personal information that we process in the ordinary course of business, with other responsible parties, or co-responsible parties, or regulators or operators or other appointed service providers (and their agents) so that they can provide services in terms of law or agreed to in terms of formal signed agreements.

In terms of our formal signed agreements, we require all operators and service providers to handle your personal information appropriately and securely, and to comply with all relevant laws.

9.4 Cross-border transfers

The Trust makes use of service providers who may store or process your information outside of South Africa. We try to ensure that our service providers only operate in countries with strong data protection laws (for example the United Kingdom or countries within the European Union), or who are contractually required to protect your information in terms of the principles set out in POPIA.

9.5 Information security

We take the security of your information very seriously and have implemented reasonable technical and operational measures to protect your information from loss, misuse, unauthorised access, disclosure, alteration, and destruction, and ensure that all our service providers do so too. We also take reasonable steps to keep personal information accurate, current, complete, and reliable for its intended use.

10. Where to find a copy of this manual

This manual is available in English:

- 10.1 on the Trust's website;
- 10.2 at the registered address of the Trust during normal business hours;
- 10.3 to any person who requests it and makes the prescribed payment (as applicable), and
- 10.4 to the Regulator upon request.

11. Keeping this manual up to date

The Trust's IO will keep this manual regularly updated as needed.

Issued by

Chantell Watkins
Information Officer of The Alexander Forbes Trust

12. Adopted by the Trust

Adopted by the board on 05 day of July 2024.

Signed by:KEVIN BRIAN PRINSLOO
Signed at:2024-07-04 18:48:52 +02:00
Reason:Witnessing KEVIN BRIAN PRIN

KEVIN BRIAN PRINSLOO

Signed by:reuveu coenen
Signed at:2024-07-05 10:40:40 +02:00
Reason:Witnessing reuveu coenen

reuveu coenen

Signed by:nazreen fakir
Signed at:2024-07-05 11:00:05 +02:00
Reason:Witnessing nazreen fakir

nazreen fakir

Chairman/External Trustee

04 July 2024

Date

External Trustee

05 July 2024

Date

Internal Trustee

05 July 2024

Date

Annexure 1

Records the Trust holds, that are not automatically available

The Trust holds the following records that are not automatically available, this list of records is not exhaustive. To access these records, please complete the Form 2 (see Annexure 2) and send it to the Information Officer – the address details are provided under 3 above.

New Account records

Calculations (where available), or computerised statement of death claim value
Tax directive application (where applicable)
Tax directive issued by SARS (where applicable)
Tax certificate (duplicate - where applicable)
Client / broker payment instruction (where applicable)
Copy of any other court order against benefits
Payment letter
Copy of cheque or EFT payment reference
Copy of death certificate of late member
Trustees' resolution - disposal of death benefit
Copy of death certificate
General correspondence

Member information

New entrant data
Birth certificate
Installation, acquisition and transfer-in data
Statement of member Trust value
Additional benefit / surplus / demutualisation / bulking calculations
Certificates of existence (COE) form
Letter of instruction form
Letter of Undertaking regarding payments
Trustee resolution regarding payments

Section 14 transfers and liquidations

Calculations
Copy of S14(1)(e) certificate (transferee and transferor Trusts)
Option forms (where applicable)
Tax application forms (where applicable)
Tax directives (where applicable)
Tax certificates (duplicate - where applicable)
Payment letter (liquidations only)
Copy of S14 application lodged (transferor Trust)

Disability

Medical reviews - correspondence only (where applicable)
--

Medical questionnaire (where applicable)
--

Accounting records

Deposit slips (where applicable)
EFT files (ACB whilst still applied)
Bank statements for Trust bank accounts
Cash books/bank reconciliations
Audit files with working papers
Annual financial statements
General ledgers
Journals
Trial balances
Levies payable
VAT documents
General correspondence

General records

Original signed rules and amendments
Registration certificates
Change of Trust name certificates
Certain communication with SARS and FSCA
Copies of complaints lodged
Confirmation of the appointment of the Board of Trustees
Quarterly financial reviews (where the Trust is valuation exempt)
Correspondence to members or former members or other categories of members
Correspondence to the trustees in respect of Trust matters
Copy of service agreements between the Trust and its service providers
Copies of communication sent to members of the Trust in respect of specific events, for example, Trustees' reports, member investment report, certificate of existence, beneficiary statement, letter of instruction form, termination letter, beneficiary guide, new money pack, etc.
Minute books
Trustee registers
Original or copies of policy documents relating to insurance, for example, Trustees' fidelity cover.
Documentation relating to the review of insurances on an annual basis as well as the quotations obtained from insurers to a market test or "rebroke" exercise
Copies of statements detailing the asset values for a Trust
Agendas prepared for meetings held
Investment manager mandates or policies of insurance, depending on the nature of the investment (if applicable where secretarial services are performed)
Reports prepared, for example asset and liability matching, transfers in or out, benefit improvements, termination of Trust, etc.
Liquidation documents, calculations, and records

FORM 2 REQUEST FOR ACCESS TO RECORD

[Regulation 7]

NOTE:

1. *Proof of identity must be attached by the requester.*
2. *If requests made on behalf of another person, proof of such authorisation, must be attached to this form.*

TO: The Information Officer of the Alexander Forbes Trust

E-mail address: AFFundIO@alexforbes.com

Mark with an "X"

☐

Request is made in my own name

☐

Request is made on behalf of another person.

PERSONAL INFORMATION			
Full Names			
Identity Number			
Capacity in which request is made (<i>when made on behalf of another person</i>)			
Postal Address			
Street Address			
E-mail Address			
Contact Numbers	Tel. (B):		Facsimile:
	Cellular:		
Full names of person on whose behalf request is made (<i>if applicable</i>):			
Identity Number			
Postal Address			
Street Address			
E-mail Address			
Contact Numbers	Tel. (B)		Facsimile
	Cellular		

PARTICULARS OF RECORD REQUESTED

Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located. (If the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed.)

Description of record or relevant part of the record:	
Reference number, if available	
Any further particulars of record	

TYPE OF RECORD

(Mark the applicable box with an "X")

Record is in written or printed form	
Record comprises virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>	
Record consists of recorded words or information which can be reproduced in sound	
Record is held on a computer or in an electronic, or machine-readable form	

FORM OF ACCESS <i>(Mark the applicable box with an "X")</i>	
Printed copy of record <i>(including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)</i>	
Written or printed transcription of virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>	
Transcription of soundtrack <i>(written or printed document)</i>	
Copy of record on flash drive <i>(including virtual images and soundtracks)</i>	
Copy of record on compact disc drive <i>(including virtual images and soundtracks)</i>	
Copy of record saved on cloud storage server	
MANNER OF ACCESS <i>(Mark the applicable box with an "X")</i>	
Personal inspection of record at registered address of public/private body <i>(including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form)</i>	
Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format <i>(including transcriptions)</i>	
E-mail of information <i>(including soundtracks if possible)</i>	
Cloud share/file transfer	
Preferred language <i>(Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available)</i>	
PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED <i>If the provided space is inadequate, please continue on a separate page and attach it to this Form. The requester must sign all the additional pages.</i>	
Indicate which right is to be exercised or protected	
Explain why the record requested is required for the exercise or protection of the aforementioned right:	
FEES	

a) <i>A request fee must be paid before the request will be considered.</i>	
b) <i>You will be notified of the amount of the access fee to be paid.</i>	
c) <i>The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.</i>	
d) <i>If you qualify for exemption of the payment of any fee, please state the reason for exemption</i>	
Reason	

You will be notified in writing whether your request has been approved or denied and if approved the costs relating to your request, if any. Please indicate your preferred manner of correspondence:

Postal address	Facsimile	Electronic communication (Please specify)

Signed at _____ this _____ day of _____ 20 _____

Signature of Requester / person on whose behalf request is made

FOR OFFICIAL USE

Reference number:	
Request received by: (State Rank, Name and Surname of Information Officer)	
Date received:	
Access fees:	
Deposit (if any):	

Signature of Information Officer

FORM 3 OUTCOME OF REQUEST AND OF FEES PAYABLE

[Regulation 8]

Note:

1. If your request is granted the-
 - a. amount of the deposit, (if any), is payable before your request is processed; and
 - b. requested record/portion of the record will only be released once proof of full payment is received.
2. Please use the reference number hereunder in all future correspondence.

Reference number: _____

TO: _____

Your request dated _____, refers.

1. You requested:

Personal inspection of information at registered address of private body (*including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form*) is free of charge. You are required to make an appointment for the inspection of the information and to bring this Form with you. If you then require any form of reproduction of the information, you will be liable for the fees prescribed in Annexure B.

OR

2. You requested

Printed copies of the information (<i>including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form</i>)	
Written or printed transcription of virtual images (<i>this includes photographs, slides, video recordings, computer-generated images, sketches, etc</i>)	
Transcription of soundtrack (<i>written or printed document</i>)	
Copy of information on flash drive (<i>including virtual images and soundtracks</i>)	
Copy of information on compact disc drive (<i>including virtual images and soundtracks</i>)	
Copy of record saved on cloud storage server	

3. To be submitted:

Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format (<i>including transcriptions</i>)	
E-mail of information (<i>including soundtracks if possible</i>)	
Cloud share/file transfer	
Preferred language: (<i>Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available</i>)	

Kindly note that your request has been:

☐

Approved

☐

Denied, for the following reasons:

4. Fees payable with regards to your request:

Item	Cost per A4-size page or part thereof/item	Number of pages/items	Total
Photocopy			
Printed copy			
For a copy in a computer-readable form on:			
(i) Flash drive	R40.00		
• To be provided by requestor			
(ii) Compact disc	R40.00		
• If provided by requestor			
• If provider to the requestor	R60.00		
For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on the quotation of the service provider		
Copy of visual images			
Transcription of an audio record, per A4-size	R24.00		
For an audio record:			
(i) Flash drive	R40.00		
• To be provided by requestor			
(ii) Compact disc	R40.00		
• If provided by requestor			
• If provider to the requestor	R60.00		
Postage, e-mail, or any other electronic transfer	Actual costs		
TOTAL:			

5. Deposit payable (if search exceeds six hours):

☐

Yes

☐

No

Hours of search		Amount of deposit (calculated on one third of total amount per request)	
-----------------	--	--	--

The amount must be paid into the following Bank account:

Name of Bank:

Name of account holder:

Type of account:

Account number:

Branch Code:

Reference Nr:

Submit proof of payment to:

Signed at _____ this _____ day of _____ 20_____

Information Officer